

## **REMARKS**

### **I. Claim Rejections – 35 USC § 102**

Claims 1-8 were rejected as being anticipated by Nelson et al. (US 6,418,346). Nelson discloses a system for transferring data into and out of an IMD using a handheld, mobile personal data manager (PDM) to mediate data transfer between an IMD programmer and a remote data center. The remote data center is accessible to clinicians only over terminals connected to a LAN. [See Fig. 5] The office action characterizes the claimed subject matter as merely transferring data to and from a medical device through a web-based network. However, particularly as amended, claim 1 specifies much more. In addition to transferring data between a medical device and a remote data center, the system provides clinician access to retrieved data transferred to the remote location from a portal interface including a browser at a remote clinician station via the web server at the remote data center location. Nowhere does Nelson describe or suggest such a clinician interface to the data center. The terminals of the LAN shown in Fig. 5 of Nelson do not provide such functionality.

Claim 1 distinguishes over Nelson and is not anticipated. Further, claim 5 has been cancelled, which leaves claim 1 as the only independent claim. Claims 6-8 have been amended to depend from claim 1. Thus, claims 1-4 and 6-8 are allowable over Nelson.

### **II. Conclusion**

In view of the amendments to claim 1, the reliance upon Nelson in the stated rejection is now without basis. Accordingly, each of the rejections should be withdrawn. Applicant further submits that the claims are in proper form and condition for allowance, and requests that a notice of allowance issue in due course.

Respectfully submitted,

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Date

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